

**Northern Nevada Railroad Corporation (NN)****(Waiver Petition Docket Number RSGM-95-5)**

The NN seeks a permanent waiver of compliance with certain provisions of the Safety Glazing Standards, Title 49 CFR Part 223 for two locomotives. The 70-ton switcher locomotives were built by General Electric Company in 1950 and 1952 and were recently acquired from the Santa Maria Valley Railroad Company. The NN operates 129 miles of track between Shafter, its interchange with Union Pacific Railroad Company (UP), and Keystone, Nevada. In 1995 the line will be extended to Reiptown, Nevada, a distance of approximately 3 miles, to a new concentrator mill site of Magna Copper. Also in 1995, NN expects to complete a rail/rail crossing at Shafter with the UP and reactivate 18 miles of isolated track to the Southern Pacific Transportation Company interchange at Cobre, Nevada. This will give NN a total of 150 track miles. The area of operation is mostly flat and is extremely rural in nature with a few small towns. The railroad states that there is no record of vandalism.

Issued in Washington, DC on April 25, 1995.

**Phil Olekszyk,**

*Deputy Associate Administrator for Safety Compliance and Program Implementation.*  
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**Petition for Waiver of Compliance**

In accordance with Title 49 CFR Sections 211.9 and 211.41, notice is hereby given that the Federal Railroad Administration (FRA) has received from Procor Limited a request for a waiver of compliance with certain requirements of Federal regulations. The petition is described below, including the regulatory provisions involved, the nature of the relief being requested and the petitioner's arguments in favor of relief.

**Procor Limited****(Waiver Petition, Docket Number SA-95-1)**

Procor Limited seeks a waiver of compliance from certain sections of Title 49 CFR Part 231, Railroad Safety Appliance Standards. Procor Limited is requesting a permanent waiver of the provisions of Title 49 CFR Part 231 which requires that handholds be securely fastened with \* \* \* bolts with nuts outside (when possible) and riveted over, or with not less than 1/2-inch rivets.

Procor Limited built 125 covered hopper cars in 1991 and 58 more covered hopper cars in 1995 for a total of 183 cars that have the side and end handholds secured with the nuts of the bolts to the inside. The bolted connections of the handholds of all 183 cars were applied and the bolts chisel checked under a controlled condition. Car series: UNPX 127000 through 127124, 125 cars; UNPX 128000 through 128029, 30 cars; UNPX 128050 through 128077, 28 cars, Procor Limited requests to continue the use of these subject cars throughout the United States.

Title 49 CFR 231.27(e)(4) requires that side handholds be securely fastened with not less than 1/2-inch bolts with nuts outside (when possible) and riveted over, or with not less than 1/2-inch rivets. Several other sections in Part 231 address the application of safety appliances (sill steps, ladder treads, etc.) which requires that they be securely fastened with not less than 1/2-inch bolts with nuts outside (when possible) and riveted over, or with not less than 1/2-inch rivets.

Procor Limited states the estimated cost to remove and replace 66 fasteners on each car is \$685.00. Adding out of service time, the anticipated total cost impact of this modification is \$215,000. The cost of changing the nuts from the inside to the outside will not enhance the safe operation of these cars.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number SA-95-1) and must be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, FRA, Nassif Building, 400 Seventh Street, SW., Washington, DC 20590. Communications received within 45 days of the date of publication of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9:00 a.m.—5:00 p.m.) in Room 8201, Nassif Building, 400 Seventh Street, SW., Washington, DC 20590.

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**Phil Olekszyk,**

*Deputy Associate Administrator for Safety Compliance and Program Implementation.*  
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**Petition for Waivers of Compliance**

In accordance with Title 49 CFR Sections 211.9 and 211.41, notice is hereby given that the Federal Railroad Administration (FRA) has received from the MK Rail Corporation (MKRC) and CSX Transportation, Incorporated (CSXT), a request for waiver of compliance with certain requirements of the Federal rail safety regulations. The petition is described below, including the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

**MK Rail Corporation (MKRC)****CSX Transportation, Incorporated (CSXT)****(FRA Waiver Petition Docket Numbers PB-95-1—SA-95-2)**

The MKRC and CSXT seek a waiver of compliance from certain regulatory provisions and from underlying Safety Appliance Act requirements in connection with a test of a train known as the Iron Highway. Petitioners seek a waiver of Title 49 CFR 231.6, (Railroad Safety Appliance Standards), Title 49 CFR 232.2, Title 49 CFR 232.13 (Railroad Power Brakes and Drawbars), and Appendix B, Definition Section 13 (Emergency brake-cylinder pressure) and related emergency requirements provisions. Petitioners also seek, pursuant to 45 U.S.C. 20306, exemption from the requirements of portions of 45 U.S.C. 20302(a)(1), (a)(2) and (a)(3) which are the statutory bases for the subject requirements.

The interim version of the Iron Highway train will consist of two conventional type locomotives with modified cab controls, two adapter platforms, one split-ramp platform and 40 load-carrying ramp platforms. The Iron Highway train, which functions as one freight car, is equipped with articulated joints and a continuous deck, permitting highway trailers to bridge the joints with no length restrictions as it is virtually slack free. According to the petitioners, it will reduce weight and train preparation time and will eliminate the loss, damage and delay inherent during current, conventional switching activity. Operating costs are projected to be

further reduced by the use of stub axles to reduce drag, wheel and track wear, and dead weight, and by the improvement of weight distribution. Maintenance downtime costs will be reduced and performance enhanced by the continuous monitoring of the bearing and brake system. Impending problems will be detected and resolved prior to major breakdowns and train delays.

The Iron Highway train is approximately 1,400 feet in length. The load carrying-platforms are joined by articulated joints which are approximately 30 inches above the top of rail and therefore are out of compliance with standard coupler height. These joints will be separated only for maintenance requirements. Thus, there is no need for conventional uncoupling levers nor for end-sill handholds. The trailers will be "circus" loaded and locked in place automatically from the cab of the hostler tractor. There is no need for side handholds and sill steps.

The rear of the special adapter platform will be joined to the load-carrying platforms by an articulated joint. At the front, where the platform is coupled to the locomotive by a conventional type coupler, the platform will include standard safety appliances, such as end sill handholds and side handholds which are extended above the deck and side sill steps.

The split-ramp is located at the center of the Iron Highway train and will include side sill steps and side handholds to provide safe access to the deck. Additional safety is provided by the extension of handholds above the deck: on one end, on both sides, and near a corner position. End sill handholds will not be applied as they would not be accessible because of the continuous deck.

The locomotives used to operate the Iron Highway train will be equipped with a freight/passenger 26-C automatic brake valve, which will be set in the passenger position with graduated release. This feature will greatly enhance train braking, with the braking positions being minimum application, service application, zone, and emergency. This system incorporates improvements superior to conventional freight brake equipment.

There is a KE-2 control valve on every fourth 30-foot platform and a vent valve on every other platform. The Iron Highway train will be equipped with a two-pipe system, having a control pipe (brake pipe) and a supply pipe (train-lined main reservoir) to provide an inexhaustible brake system, eliminating the use of emergency reservoirs. The

retarding forces are provided by compressed air, via a main reservoir pipe controlled by a pipe of 90 psi, cylinder pistons, brake rigging and with a brake shoe at each wheel location. However, this brake system does not include emergency brake cylinder pressure as specified in Title 49 CFR 232, Appendix B. Calculations indicate that stop distances for the Iron Highway train will be better than that of standard intermodal trains. Data will be recorded and provided from the actual stop distance tests which will be performed at the Pueblo Test Center.

Initial terminal train air brake tests on the Iron Highway will be performed in full compliance with 232.12. An initial terminal train air brake test will be performed once during each 24-hour period, consistent with the completion of a round trip by each train.

The petitioners request FRA's approval of the proposed use of the computer-controlled inspection system to perform intermediate type air brake tests when such tests are required by 232.13. It is proposed that these intermediate tests be performed from the locomotive cab utilizing the special equipment installed in the conventional locomotives to be used in the Iron Highway trains.

The locomotives dedicated to this Iron Highway service will each be equipped with two special purpose computers which will display on a monitor continuous information regarding the brake status of each platform (e.g., cylinder position (applied or released), indication of cylinder pressure and detection of stuck brakes. The computers will also monitor and display wheel bearing temperatures, indicate when the split-ramp platform is separated or secured, and will locate the occurrence and position of faults. This information will be sufficient to establish that during the applied test all brakes are applied, and during the release test that all brakes are released. The Iron Highway train air brake system is designed to provide constant monitoring of train brake activity. The engineer will have the benefit of much more information relative to the condition and functioning of the air brakes than has ever been available prior to this invention.

Additionally, the Iron Highway train has replaced the conventional handbrakes function of holding or retarding the train in the absence of any brake cylinder pressure, with spring applied, automatic parking brakes on the first five and last five platforms. The design of this brake ensures that it cannot be left applied inadvertently, thus avoiding dragging brakes. During

spring-brake operation, the brake shoe will be forced against the wheel tread surface at the force of approximately a 50 percent loaded car-full service value. This general type parking brake has been in service for several years and has been proven successful.

This waiver request is for a test operation of two interim version Iron Highway trains for a period of up to 3 years on specified rail lines, which lines may vary from time to time, subject to prior notice to FRA. The initial test requested is from Livonia, Michigan and East Chicago, Illinois. The final version of the Iron Highway train is expected to be available in the summer of 1996.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. All communications concerning these proceedings should identify the appropriate docket number (e.g., FRA Docket Number PB-95-1 and SA-95-2) and must be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, FRA, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590. Communications received before *June 1, 1995* will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9:00 a.m.—5:00 p.m.) in Room 8201, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590.

The FRA has determined that a public hearing be held in this matter. Accordingly a public hearing is hereby set for 10:00 a.m. on May 25, 1995, in room number 6244, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590.

The hearing will be an informal one and will be conducted in accordance with Rule 25 of the FRA Rules of Practice (Title 49 CFR Part 211.25), by a representative designated by the FRA. The hearing will be a nonadversary proceeding in which all interested parties will be given the opportunity to express their views regarding this waiver petition.

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**Phil Olekszyk,**

*Deputy Associate Administrator for Safety Compliance and Program Implementation.*  
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